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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 005884

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [OSCE](#) [TU](#)
SUBJECT: EUROPEAN LEADERS PRESS TURKEY TO IMPLEMENT
REFORMS, AVOID TRAIN WRECK

REF: ANKARA 5463

Classified By: DCM Nancy McEldowney for reasons 1.4(b),(d)

1.(C) Summary: During recent high-level meetings, European leaders told the GOT in clear, consistent terms that it must abide by its commitment under the Ankara Protocol to open its ports and airports to Greek Cypriot traffic and make significant legislative reforms in order to avoid a "train wreck" that could derail the country's EU accession bid. Prime Minister Blair gave Prime Minister Erdogan a dose of "tough love" during his October 3 stopover in London, urging him to move forward on the Finnish EU Presidency's Cyprus plan, and to amend Turkish Penal Code (TPC) Article 301. German Chancellor Merkel and EU Enlargement Commissioner Olli Rehn delivered similarly firm messages during their recent visits to Ankara. Our European contacts hope that these messages will lead the GOT to engage more urgently in negotiating specific aspects of the Finns' Cyprus plan as well as to make significant legislative changes quickly, but are not optimistic. Although the GOT appears to have heard and understood the message, it will take a determined campaign by PM Erdogan, amidst rising nationalism in Turkey, to muster the political will to deliver what the EU wants. End summary.

Europeans Deliver Consistent Message: Tangible Progress
Needed

12. (U) During his October 3-5 trip to Ankara, EU Enlargement Commissioner Olli Rehn delivered a clear message that the ball is in Turkey's court to make the difficult decisions required to keep its bid for EU membership on track. At an October 3 speech at a Turkish Labor Conference, Rehn said that EU member states' higher expectations of Turkey since it became a negotiating country, combined with the fact that the pace of reform has slowed, make it imperative that Turkey make tangible progress before the Commission's November 8 progress report. Rehn called on Turkey to adopt a "rock-solid" policy of reform in order to counter "pessimists." He added with passion that Article 301 (which criminalizes insulting "Turkishness") runs counter to a cornerstone of European values: the freedom to express critical, non-violent opinions. "Those opposing repealing the unjustified restrictions of free speech in Article 301 and other parts of the Turkish law, are effectively opposing

a key condition of EU membership." Rehn also stressed the need for Turkey to fulfill contractual obligations pursuant to the Ankara Protocol.

13. (C) In an October 4 meeting in London, Prime Minister Blair gave Prime Minister Erdogan some "tough love," according to our British Embassy contacts. Blair encouraged Erdogan to continue to engage with the Finnish Presidency on the issue of Cyprus, and cautioned Erdogan not to underestimate what is at stake if Turkey does not move forward on implementing the Ankara Protocol. Blair reportedly stressed to Erdogan that Turkey should ensure that it does not provide its detractors additional ammunition with which to continue to try to shoot down its EU bid. He also urged Erdogan to reform Article 301 prior to the release of the EU Commission progress report, indicating that HMG is committed to doing what it can to help argue its case at the December meeting of the Council but that Turkey has to take action first. Erdogan told Blair that the GOT has shown that it is open to ideas and formulas for progress on Cyprus but that the Greek Cypriots had not reciprocated with a similar level of flexibility. Blair said Ankara should have a "Plan B" if it decided to not move forward on implementation of the Ankara Protocol.

14. (C) On October 5-6, German Chancellor Merkel echoed these messages in her first official visit to Turkey since becoming German chancellor, according to a readout from the German Ambassador. During meetings with PM Erdogan and other Turkish officials, Merkel noted that while her Christian Democratic Union Party supports the "privileged partnership" idea, she, as Chancellor, respects the German government's commitment to support Turkey's full membership, according to

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Turkish contacts. Merkel emphasized, however, that Turkey must meet its own reform commitments, most notably those required by the Ankara Protocol, for accession talks to proceed.

Do the Turks Have a Plan B?

15. (C) Ankara-based contacts in EU member state missions tell us that there is an ongoing informal debate over what the repercussions should be if Turkey fails to open its ports to Cypriot vessels. Discussions have generally focused on the number of chapters of the EU Acquis Communautaire on which negotiations should be suspended. Some will admit that they and their fellow EU mission colleagues have contributed to a "muddying of the waters" by suggesting that the GOT's decision to contribute troops to a beefed-up UNIFIL mission in Lebanon would allow proponents of Turkey's EU accession to argue against what many expect to be a decision to suspend negotiations on a large number of chapters.

16. (C) In an October 2 meeting with the DCM, EU Commission to Turkey Political Counselor Martin Dawson made it clear that to keep negotiations on track, Turkey must act on three things prior to the November 7 progress report: Cyprus, Article 301, and the Law on Foundations. No action on these issues would lead to a "very rocky" outcome, he told us. Martin is not optimistic. He described the GOT as "stumbling around" for months on the so-called 9th Reform Package, noting that the GOT has yet to pass the Foundations Law and passed a Private Education Law that failed to tackle the shortcomings it was supposed to redress. Dawson also expressed frustration over the GOT's apparent lack of a plan of any sort to deal with the likely fallout should the EU find its efforts to have fallen short, as expected. As ultranationalist prosecutors bring "preposterous" cases under Article 301, the government appears "flummoxed" as to how to respond, Dawson said.

17. (C) Comment: The PM and AK Party seem to have heard and

registered (finally) the Europeans' consistent and firm message that it is incumbent upon Turkey to take steps to avoid a breakdown in the accession negotiations. The PM and government officials are now engaged in the full-press lobbying effort with the EU that they should have started months ago. The parliament recently passed six (out of the latest nine) additional laws from the 9th harmonization package instituting reforms called for by the EU. The tough reform measures remain, however. Prior to PM Erdogan's October 2 Washington visit, MFA Deputy Under Secretary Apakan had assured us that Turkey would take necessary measures to address the EU's concerns on Article 301, saying "we will do it." Upon his return to Ankara from Washington and London, Erdogan signaled a clear intention to work with parliament to amend Article 301, although the issue is not yet on the agenda. At the same time, FM Gul and others have made it clear that the GOT is ready to discuss specific aspects of the Finnish plan on Cyprus in hopes that a fix can be found to the problem of implementing the Ankara Protocol prior to the December Council meeting. According to Finnish Ambassador Maria Serenius, the EU Troika will hold an October 16 meeting with FM Gul in Luxembourg to work on the Cyprus initiative.

18. (C) Comment cont'd.: Time is short, however, and the GOT has left the most difficult decisions until the last minute. Pushing through controversial legislation, such as Article 301 reform, will only become more difficult in Ankara's increasingly charged, pre-election atmosphere. If the price the GOT will have to pay for failing to meet EU expectations before the November 8 report card is limited to suspension of only a few chapters, many here may argue that is an acceptable outcome. End comment.

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WILSON